

[1st August 1933]

II.—A BILL FURTHER TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, AND THE MADRAS LOCAL BOARDS ACT, 1920, FOR CERTAIN PURPOSES (BILL NO. 25 OF 1931).

* Mr. F. BIRLEY:—“ Mr. President, Sir, I beg to present the Report * of the Select Committee on the Bill further to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for certain purposes (Bill No. 25 of 1931) and move—

—: *‘ that the Bill, as amended by the Select Committee, be taken into consideration.’*

“ Mr. President, Sir, I think I am right in saying that it is generally accepted both in this House and outside it that the present situation in regard to the taxation of motor vehicles in the Madras Presidency is, to say the least of it, unsatisfactory. I may say that when I introduced this Bill almost exactly a year ago, I did so not because I thought it was perfect but because I thought that as it grew older it might help at least to alleviate the very heavy burden of taxation from the shoulders of a very harassed industry. During the past year the Bill has been so badly mutilated that only the other day even its own godfathers threatened to disown it. It started with the intention of limiting the rate of district board taxation on motor buses to Rs. 100. But in the Select Committee it was bullied, worried, torn from limb to limb; and it is surprising that the Bill is alive to-day after the treatment it received in the Select Committee. And even now, in spite of the fact that during the Select Committee period myself and other sponsors of the Bill gave way as far as we possibly could give way, the Bill in its present form is the very least that the bus industry can possibly accept.

“ Mr. President, I shall not tire the House by reiterating the long arguments urged on the principle that taxation of motor buses should be so fixed as to provide the revenue required by the taxing authorities, the district boards and municipalities, without any reference to the power or the ability of the industry to bear that taxation. I shall content myself by saying that I hold what appears to me to be the very reasonable view that this form of transport should be taxed but that, in fixing the basis of taxation, all material circumstances should be taken into accounts. And I think it will be generally agreed that a very material circumstance is the ability of the industry to bear the tax. At present the average licence fee levied by the district boards throughout the 25 district board areas of the Presidency is approximately Rs. 1,150 per bus. In four districts it exceeds Rs. 2,000 a bus. On the basis recommended by this Bill as it has been revised by the Select Committee, the average licence fee will be approximately Rs. 880 and in no district will it exceed Rs. 1,000. Now, Sir, I told you that the interests concerned when initiating this Bill suggested a licence fee of Rs. 100, and in the Select Committee that Rs. 100 has been added to by Rs. 780. The interests that I was representing in the Select Committee reluctantly agreed step by step until at last it has risen from Rs. 100 to an average of Rs. 880. Rs. 880 is the average

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licence that the district boards will be able to levy if this Bill becomes law. At this point I would draw attention to the fact that if this Bill is not passed in existing circumstances the only limit the district boards have to their authority to tax is the sky, there is no roof, and there is no limit. And what this Bill hopes to do is to put a limit and that limit is agreed to be a very reasonable limit. As a matter of fact, I think, I have made it clear now that, from the bus-owners' point of view, this Bill leaves very much to be desired, and I understand that from the district boards' point of view it also leaves much to be desired. Personally not having any direct interest either way, I think both are right. Bus-owners will have to reconcile themselves to the fact that the district boards must have revenue; and on the other hand, the district boards will have to reconcile themselves to the fact that the owning of buses is after all a commercial enterprise with other objects than those of providing revenue to the district boards. The people who invest money and run buses are also hoping to make a living out of them which, in the present circumstances, I am credibly informed, is quite impossible. I would also remind hon. Members of this House that the revenue derived by the district boards from motor vehicles is not limited to the taxes levied by these boards, to which this Bill refers. The district boards also receive their share of the provincial taxation on motor vehicles and the licence fees which will be legalized by this Bill are in principle only intended to cover the cost of registration and the supervision of the buses. It is not intended to be a source of revenue. The revenue comes from the contribution they receive from provincial motor taxation. I think, taking these considerations into account, it must be agreed that while the maximum scale which the Bill permits is excessive as licence fees, the bus owning interests will look on them as a relief from the almost savage rate of taxation that now prevails in many districts. There is a large body of opinion that considers that this Bill should embody the principle that a licence fee should be nothing more than a nominal fee. While I have a deal of sympathy with this point of view, it is quite impossible for me to reconcile it with the necessity to give the district boards the authority to obtain a reasonable revenue from the buses that are using their roads. In conclusion, I would repeat that I do not consider that this Bill is by any means a final settlement of the present difficulty in regard to motor taxation; looked at from the bus-owners' point of view, it is a very small step in the right direction and it must not be looked upon as anything but a palliative measure."

MR. ABDUL HAMEED KHAN:—"Mr. President, Sir, in seconding the motion of the hon. Member, representing the Madras Chamber of Commerce, Mr. Birley, I wish to say this much that, as he has stated, there has been for a long time a question raised by those who interpreted the term 'licence fee' as meaning the amount intended to meet the expenditure involved in supervising and not in order to add to the revenue of the parties concerned, the district boards and municipalities. There have been differing judgments on this question, but certainly the opinion generally agreed upon is that the licence fee should not be construed to mean any additional revenue to the district boards and

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municipalities either for general purposes or for the mere purpose of maintaining the roads. When such was the case at a time when the question of abolishing tolls was considered, this question was brought up over and over again, and the then hon. Chief Minister, Mr. B. Muniswami Nayudu, was kind enough to assure us, members of the Conference and the Committee that he would look into the question and see whether it would not be possible for bringing into existence one consolidated tax in order to give relief to owners of buses and other commercial vehicles which are plying in the various district board and municipal areas.

11-45 a.m. “Unfortunately we were not able to achieve the object for which we were all aiming. In the meantime there was a change in the Ministry and the hon. the Chief Minister, the Raja Sahib of Bobbili, has been tackling the question and the Government has not yet come to the conclusion with regard to either the restoration of the tolls or the taxation of carts or any relief to the owners of motor vehicles which use the roads.

“Sir, the other question which is trotted out over and over again is that in these days of hardship and financial stringency nothing should be done by the Government which will result in increasing the rates of the local bodies. Well, I would say in this connexion, Sir, that the initial mistake was made by the Government in abolishing the tolls in order to please a few persons. (A voice: ‘It is a good thing.’) It is with the abolition of the tolls that the trouble came and now we have to seek ways and means of increasing the revenue of the district boards and the only way that the Government thinks of doing so is to see that the unfortunate bus-owners are over-taxed and taxed over and over again. It is in order to give relief to these unfortunate persons that this Bill was introduced by Mr. Birley and the object of the promoters of this Bill, as has been referred to by Mr. Birley, was to make definite the meaning of licensing fees and it would have been reasonable if the Select Committee had agreed to the relief by levying the licence fees up to a maximum of Rs. 100. But unfortunately the Select Committee had also to deal with the situation as it existed. It could not have taken any steps by which the rules of the local bodies could have been revised all on a sudden although the principle involved in this Bill had to be given the go-by in order that some adjustment may be made between those who thought that the licence fees should be merely licence fees and not calculated as a revenue and those who want to retain the revenues of district boards intact and increase it. It was only as a matter of compromise that the Select Committee endeavoured to reach these conclusions and I am sure, Sir, the presidents of local bodies who are in this Council and members of local bodies who are interested in their local bodies will agree and support the Government which has committed itself to the report of the Select Committee inasmuch as the Raja Sahib of Bobbili as well as Mr. Conran Smith who were on the committee have agreed to the report and I am sure that they will not go back upon any word of the Select Committee and that they would consistently pursue the same policy and not change anything in their report. Therefore, Sir, I hope that

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the hon. Members of this Council who are also presidents and members of district boards will accept this measure as a compromise measure and not raise questions of reductions of revenues affecting their respective local bodies. They will find from the report that what has been done is not to reduce their revenue considerably. There is no doubt that some district boards will lose the present revenue to some extent but there are others which will have an increasing revenue. There are certain district boards which are levying a licence fee of Rs. 400, Rs. 450 and Rs. 460 and even less. Those district boards are given the option of raising their licence fees much higher than what they are able to do at present. It will be their concern whether they can afford to increase the licence fee more than what they are getting at present. But at the same time the object of the promoters of the Bill and the Members of the Select Committee was to see that some unanimity was introduced with regard to these licensing fees. As it at present obtains the district board can raise the licensing fees to any extent. In some cases it has gone up to Rs. 3,000. In the neighbouring district of Chingleput the bus-owner has to pay a licence fee of a thousand rupees in addition to the provincial tax which he has to pay at present. It has not been possible for owners of buses and other commercial vehicles to run this trade with any profit. They have to get on and put these buses on the road because they have no other option. Such being the case I hope no hon. Member who is a member or the president of the district board will raise the question of revenues of local bodies in considering this Bill. I hope, Sir, the House will accept the report as it is with a few minor consequential changes that may be necessary."

* The hon. the RAJA OF BOBBILI:—"The amendments * which stand in my name attempt to meet some of the objections raised by the district

** Clause 3 (3) (a).*

The hon. the RAJA OF BOBBILI:—

In clause 3 for item (a) of sub-section (3) of section 166, substitute the following item, namely:—

"(a) in the case of a motor vehicle carrying passengers for hire—

- (i) with seating accommodation for not more than seven passengers, including the driver and the conductor, if any,
- (ii) with seating accommodation for eight or more passengers including the driver and the conductor, if any, and plying on routes or portions of routes in the district not exceeding thirty miles in length,
- (iii) with seating accommodation for eight or more passengers including the driver and the conductor, if any, and plying on routes or portions of routes in the district, exceeding thirty miles in length.

Seven rupees eight annas per seat (excluding the seat for the driver and the seat for the conductor, if any) for each quarter or portion thereof.

Ten rupees per seat (excluding the seat for the driver and the seat for the conductor, if any) for each quarter or portion thereof."

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boards. As has been pointed out by the Government in the proposed amendment, the present average rates of all the districts should not be raised. As the House no doubt is aware, the varying rates in different districts have been iniquitous. The principle of the Bill is to place a reasonable maximum on the rates which the district boards are permitted to levy. As representations have been made that the amendment standing in my name in actual practice results in raising the present averages in the districts, I do not propose to move it. In this connexion I wish to state that there is an apprehension in the minds of non-official Members that these proposals might result in a serious loss of revenue to local bodies. At present, Sir, under the Madras Motor Vehicles Act the maximum fixed per seat is Rs. 10. But Government have been levying only Rs. 7-8-0 per seat. And in actual working of the present Bill, if it is found that the local bodies are put to a serious loss, then Government propose to make good the loss as far as possible by levying the maximum rates which are permitted under the existing Act. Of course another objection may be raised that the loss to the various district boards will be uneven and disproportionate by raising the rate of the provincial tax as the proceeds will go only to the common pool and the districts would not be benefited or compensated in accordance with the proportion of the loss they incur. Without committing the Government I might say if after examination it is found that the loss suffered by the various districts is found to be disproportionate we will endeavour to evolve a system by which the extra tax realized by Government is distributed to various districts in proportion to the loss actually incurred. For these reasons, Sir, I do not propose to move the amendment standing in my name."

* Mr. V. T. ARASU:—"I rise to oppose the motion moved by the learned Member, Mr. Birley. We, in this House, are accustomed to hear statements from Members of Government when private measures of this kind come up before the Council. After hearing definite statements regarding the financial implications of the measure, I am surprised to find that the hon. the Chief Minister has not chosen to let this House know what effect this measure is going to have on the finances of the local bodies. The Government can very easily collect exact figures. They know the exact number of vehicles licensed in each district and the total amounts collected by the respective district boards. When these information are available, I wonder why the Government have not taken the pains to study the exact amount that is being collected by the various district boards by way of licensing fees, and what they will get if this Bill is passed into law. I feel that unless the Government is going to give an assurance to the House that the local bodies are not going to suffer any loss by passing this Bill into law I am afraid I will have to cast my vote against this Bill being taken into consideration."

* Mr. BASHEER AHMED SAYFED:—"I am surprised at the attitude adopted by my Friend, Mr. V. T. Arasu. I think, Sir, that this legislation has long been overdue. In fact when we took up the question

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of the abolition of the tolls, simultaneously with that this question might have been dealt with and the decision arrived at. Somehow it was omitted in the great hurry in which the Motor Vehicles Taxation Act was passed. Later on it was brought to the notice of the House by repeated representations and interpellations on the floor of the House that serious hardship was being caused to the bus-owners in the payment of licence fees which knew no limits.

“ This matter has been brought before this Council through reports made by Select Committees, and also through questions and answers it was elicited that in certain district boards the fee went up to about Rs. 3,000 per motor bus, and that it was in no district less than a thousand rupees. That being the case and finding that transport facilities had increasingly diminished on account of exorbitant and arbitrary licence fees imposed by district boards, it was thought necessary that there must be some maximum imposed with regard to the levy of this licence fee. The Bill was introduced by Mr. Birley; it went through the Select Committee, and the Select Committee's report is before the House. My Friend, Mr. Arasu, is not able to say in what respects the Bill does not come up to expectations. Sir, for one thing, the bus trade has suffered seriously on account of the licence fee. Secondly, the levy of a licence fee with a view to making an income to the district board was immoral and illegal. The legality was challenged in courts and the courts have given some relief. So, in order to remedy the present situation, it was thought desirable—and it was so in fact—that an amendment of the Local Boards Act and the District Municipalities Act should be made, and such an amendment is now before the Council. *Prima facie*, it may be that some boards may suffer in their income. But the question has to be settled whether the licence fee should be made a source of income by the district boards and municipalities. In certain cases, bus-owners had to pay double taxation, a certain amount to the municipal council within whose limits the bus was running and a bigger amount to the district board in which also it went; and if there was another district board through whose limit the bus had to run, there was a third payment of licence fee to be made. All this is great inconvenience to the bus-owners and also to the public who are resorting to that kind of conveyance.

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“ There is also another aspect to be taken into consideration. The buses ply for the convenience of the travelling public. The number of buses had now diminished in large numbers. What do we find in many places? There is much overcrowding in the buses that run, as some of the buses went out of the road. Where there were 100 buses, only 40 or 50 buses are now running. That was a serious state of affairs. That was traceable to the very heavy licence fee imposed by district boards and municipalities. It is necessary in the interest of the public, in the interest of the bus-owners and in the interest of the motor vehicle trade—to be plain I say in the interest of the motor vehicle trade which ultimately leads to the convenience of the public because the larger the number of buses the easier it is for people to transport themselves

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from place to place—that a maximum should be fixed. If the bus-owners are able to run the buses on low maintenance charges, it will lead to lower rates being charged to passengers, thus increasing bus traffic. This is also obviously a great convenience. My Friend, Mr. Arasu, seems to have no information on that aspect of the question. There may be some force in the argument that at the beginning the district boards and municipalities will suffer a little by the fall in their income from licence fee. Even if this fee is to be called an income, I wish to point out that the larger the number of buses the greater would be the licence fee collected by the district boards and municipalities. After all, Sir, what is sought to be done is to bring into existence a uniform rate of licence fee in all districts. We are only fixing the maximum. It is open to the boards to apprehend that the loss of income will be very great to fix the maximum fee. All that is sought by this amendment is that they shall not exceed that maximum. There should be some reasonable maximum for the levy of licence fee. We do not want that there should be many more suits and appeals in the courts including the highest appellate court against this imposition of licence fee and thereby the district boards and municipalities to suffer by payment of exorbitant costs to the parties. In order to save all this trouble, I think the Bill, as reported on by the Select Committee, should be disposed of as early as possible.”

* Sriman M. G. PATNAIK Mahasaya:—“ Mr. President, I oppose the motion before the House. The thing is that unfortunately the Government does not wish to give a lead to the Council with regard to this question. Firstly, they ought to be in a position to say how the different local bodies will be affected by the amendment that is sought to be introduced by some people. The second thing is—probably it is too late for me to say so—that from the beginning I am of opinion that the very principle upon which this measure is based is unsound, and this is intended to benefit not the boards, not the bus-owners, not the bus-using public but only those people who deal in motor vehicles. It is only for their benefit that this measure is put forward in this Council. Of course, it is rather unfortunate that my Friends, Messrs. Hameed Khan and Basheer Ahmed, who seem to have nationalistic views in all other matters, do not perceive that they are playing into the hands of people who are seeking to take money from the people. (Mr. Basheer Ahmed Sayeed: ‘Question.’) Let us see whether the people will be benefited. Let us consider that in the first instance. Of course, Mr. Hameed Khan went to the length of saying that the abolition of tolls was a mistake. But of course you must remember that this measure also was introduced into this Council under the auspices of the very body which wanted the abolition of tolls, who thought that they would have better trade in motor vehicles. To their great discomfiture, in spite of the abolition of tolls, their aim could not be realized and the motor trade did not prosper. Now, they have adopted another method by trying to reduce the licence fee. Of course,

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no doubt, in some districts the licence fee has been much lower than what has been fixed by the Select Committee. But still they wanted to fix the licence fee at only Rs. 100. Therefore, mainly with a view to a larger sale of motor vehicles, this Bill has been introduced.

“ Then, let us take the case of bus-owners. Well, it is said that bus-owners are made to pay very large licence fees and that if the fee is high they may not be able to run the buses. It is not exactly that. Just consider what will happen if you reduce the licence fee. The result will be that a larger number of buses will come into the road and there will be unhealthy competition. What do we find now? They are allowed to charge a particular rate. How many bus-owners are able to charge that particular rate? They are forced to reduce that rate. The charge from Berhampur to Aska is fixed at Rs. 1-14-0. However they are able to charge only eight annas and even less sometimes. It is due to the unhealthy competition which compels them to reduce the rates. The result will, of course, be that more buses will be purchased by thoughtless people who do not know how to invest their money, and when these buses are put on the road in the hope of getting some profit, they find in a short time that they are unable to run the buses themselves. Therefore, if you reduce the licence fee, the immediate result will be that more buses will be purchased which will ultimately ruin the bus-owners themselves because of the greater competition. So, that aspect of the question we should not lose sight of.

“ Let us see whether the people will be benefited. Suppose the rates are reduced on account of unhealthy competition. No doubt poor people will get into the buses. But what will be the ultimate result? Poor people who were never in the habit of going in such conveyances will be tempted to travel in the buses on account of the low charges and thus they will waste their money which might be used more usefully by them. If they have got a few annas in their hands, on account of sheer laziness they will get into the buses instead of travelling otherwise, without caring whether that money is necessary for the maintenance of the families. Therefore, I say it will not benefit the people at all. These buses cannot run for any length of time because the bus-owners themselves will be ruined in course of time on account of the competition. So, the fee should be reasonably high so as not to tempt too many buses being put on the road and so that there will be fewer buses on the road, and so that people who are generally accustomed to use such conveyances may use them, instead of poor people being tempted by the cheap rate. If that is done, people who were using carts and other conveyances will not abandon them. Do you want that carts and bandies should go out of the road? (Mr. Basheer Ahmed Sayeed: ‘ That is very good.’) That is a very nationalistic view! Again if you put motor lorries at a cheap rate on the road, these carts which are now carrying heavy loads will not be there. Practically, the country traffic will be taken off the hands of the village cartmen. That is, of course, ruinous to the people in villages.

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“There is another principle on which I strongly condemn this measure. I think this Council ought not to interfere with the discretion of the local boards. The local boards are representatives of the people of the district. They know what the wants of the district are. If those people adopt a measure by a majority, I do not see why this Council should interfere with it. Well, if there are very high rates in certain districts and low rates in other districts, it goes to show that the wants of the people and the ability of the people to pay the amount are taken into consideration. I may bring to the notice of the Council that much stress was laid by the hon. Member, Mr. Birley, on ‘the ability to pay.’ I also lay stress upon that.

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“Their ability to pay must be deemed to have been taken into consideration by the local board which imposes a particular rate of licensing fee. Therefore, this Council without knowing the circumstances of each district ought not to fetter the discretion of local bodies by a measure of this kind. Then there will be financial dislocation and all that. Of course in some districts, the licence fee is levied at the high rate of 2,000 and 3,000 rupees. Now with regard to each bus, if the licence fee is reduced by 2,000 or 2,200 on account of this measure, then how will that board run? Moreover, every board now has to spend more money on the road, because the roads must be kept always in good repair. Otherwise there would be trouble, and buses cannot run. In these circumstances, I think the Council will be wrong in accepting the Bill at all. The discretion of the boards should not in the least be fettered. We should not presume that we know the needs of the people better than the people of the districts themselves.”

* Rao Bahadur A. T. PANNIRSELVAM:—“Mr. President, I feel I shall be correctly representing the feelings of the local boards, in particular, the district boards, when I say that the effect of this legislation would cause a grave disturbance to the financial equilibrium of district boards and thus give room for much disquiet and anxiety on the part of many a district board. Doubtless the statement made by the hon. the Chief Minister in the House just now, that he will endeavour to compensate the district boards for the loss which they are likely to incur by the passing of this measure may be a source of some consolation, but how far even the Chief Minister, with the reserve powers vested in him under the Act, will be able to better the resources of the district boards is very problematical. Apart from that, I wish particularly to refer or demur to the point raised by the hon. Mover of this motion and also the hon. Secunder, as to whether licence fees are to prove a source of revenue to the local boards or not. I cannot imagine wherefrom they got the idea that the district boards are not to use this source of revenue available to them. (Mr. Basheer Ahmed Sayeed: Court’s decisions.) They are entitled to use this licence fee as a source of revenue. I believe there are occasions when the Government themselves have advised the local boards to increase the licensing fees if they thought that the damage done to any particular roads necessitated such a course.

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“ There is also another aspect to be considered in dealing with this legislation and that is the aspect dealt with by Mr. Patnaik. How far are we going to restrict the growth and development of self-government in this country? We took considerable pains in passing what are called local self-government measures, the District Municipalities Act and the Local Boards Act, with a view to establishing local self-government and training our people in the art of governing themselves. The slogan is oft repeated, in season and out of season, about the sense of responsibility to be developed in the villager and the man living in outlying districts. But are we not, time after time, by making amendments to the Local Boards Act, interfering with the discretion of the local boards? What will this measure amount to except to restrict the discretion which has been vested in the district boards in the matter of fixing the licence fee? And after all, even in the existing Act, is it unfettered discretion? Is it not by the framing of by-laws that we have to fix the fee that could be levied on motor vehicles? And does any by-law become legally enforceable or valid unless it is approved by the Government? Already in framing rules to regulate our own conduct, to regulate our own source of income, we are subject to one restriction. Doubtless it is a wholesome restriction, and I am sure the local boards do not want that restriction to be thrown aside, and that is the restriction of having the approval of Government before any by-law is brought into force. But, if you are going to strengthen these fetters and cut down the powers given to the local boards under the Act, where are you going to stop? A reference was made to the fact that there was considerable difference in the rate of fees levied between district board and district board. May I take this opportunity of pointing out, Sir, that it is not merely between district board and district board that this variation exists? There is variation between one road and another in the same district. In the Tanjore district there is variation between one road and another and there is also a difference in the rates of fees levied. The reason for such variations is not due to a want of any sense of responsibility, but it is due to the fact that the local boards knowing local conditions, knowing the traffic passing that way and knowing the obligation imposed on them in the matter of keeping the roads in good repair, taking all matters into consideration, they levy the fees which vary from road to road. As far as Tanjore is concerned, there are, I believe, half a dozen roads and half a dozen rates. That does not show that they have no sense of responsibility about them. Laying down one uniform flat rate of Rs. 7-8-0 or Rs. 10 per seat as maximum will not work. There are roads in which a man will get an average income of Rs. 150 per day and there are roads where a man cannot get even Rs. 50 a day.

“ Then, reference was made to the illegal or iniquitous levy of fees adopted by the local boards. I believe I have been here long enough to realize that with certain Members of the House who have never seen the inside of a local body, it is a fashion to hold them up to ridicule,

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people who have never been outside Madras city, always speaking from a high pedestal condemn the standards of taxation, standards of financial relationship and other standards of the poor and toiling district boards and local boards. This has become a fashion, so much so that we can well afford to ignore them for the time being. But I would only point out that this is going to be an interference with the powers which the local boards have been exercising, according to me, with a very high sense of responsibility. And if the bus trade has not prospered, as one would like it to, particularly as the motor trade would like it to prosper, I would say the cause has to be sought elsewhere than in the rates of fees levied by the district boards. I would trace the cause to the facilities the motor trade affords to any person who can come up to Madras, with say, thousand rupees. He can take away a bus worth Rs. 4,000 or Rs. 5,000 the balance to be paid on the instalment system. Other reasons for the difficult days of the motor trade are unhealthy competition and things like that which have been dealt with by previous speakers. I would only close by saying that before we pass any legislation affecting the resources of local boards, we must look at things from various angles, we should not confine our attention only to the prosperity of the motor trade and perhaps also of the bus-owner. We must not forget the fact that just yesterday, during the interpellation period, we were considerably perturbed on the want of financial stability of the local boards. So, we should not do anything to unstabilize the already tottering position of the local boards."

* Rao Bahadur T. M. NARAYANASWAMI PILLAI:—"Mr. President, Sir, if I rise at all, I rise only to voice forth the feelings of local bodies in this respect. We thought that, on the amendment given notice of by the hon. Chief Minister, he would certainly take up the cause of local bodies and try to avert the danger that is conceded to be threatening local bodies. But after what he has said, we, who represent local bodies, have no alternative but to oppose this measure. Everybody concedes that the finances would be dangerously affected. I do not know how my Friend, Mr. Pannirselvam, would try to interpret the words of the Chief Minister as affording some sort of consolation; on the other hand his words have begun to fill me with all sorts of apprehensions. I also join with Mr. Pannirselvam in demurring to the point raised by the Mover, viz., that the licence fees in the case of local bodies should be considered, not as a source of revenue but as a sort of compensation for the work of supervision supposed to be done by local bodies. If that were so, we should be glad to relieve ourselves from the burden of supervision. There are enough agencies under Government upon whom this burden may be thrown. But this has all along been considered as a source of revenue; and if there is one virtue in the present system it is this: that it gives room for the variations in the several districts to be given effect to at present. There is a serious danger in the adoption of the one uniform rate for the whole of the Presidency. As was very clearly explained, the importance of each

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road, the heaviness of traffic and the damage to the road have all to be taken into consideration. If in any case the Local Government should consider that the licensing fee to be levied is undoubtedly high or trespasses on the canons of good taxation, they are already armed with powers to ask the local body to lessen the rate.

“On the other hand, what is it that we are now going in for? The present system provides for varying degrees of taxation according to the varying conditions of districts and roads while leaving to the Government the power to make the local bodies conform to the right level of taxation. The Bill we are now considering would give no room for varying degrees of taxation suitable to the varying conditions of the districts. Therefore, Sir, I am compelled to oppose the motion. P.m.

“Now, let us look into the history of this question. What has happened during these three years to compel these persons to come forward with this measure? Let us take the position before the introduction of the Motor Vehicles Taxation Act. Is it said that the Motor Vehicles Taxation Act has thrown an unduly severe burden of taxation so as to necessitate a Bill of this kind? Nowhere has it been said that that is the case. As a matter of fact, my own feeling is that the motor vehicles tax which was imposed in the place of toll-fees, is in no way higher than what these motor vehicle owners would have paid if the tolls had existed. I am clearly of the opinion that the level of taxation imposed by the Act is clearly lower than what it was under the old arrangement. Now, a bus-owner running his bus in one district only was paying Rs. 2 a day which comes to Rs. 720 a year, but he has now to pay under the Act only a smaller amount. The Motor Vehicles Taxation Act has not increased it; and as far as I am aware, during the last two or three years no district board has raised the licensing fees. All attempts during these two or three years have been to reduce the tax on motor buses. This shows that nothing has been done till now so as to adversely affect the motor trade or the motor traffic.

“Now probably, on account of the all-embracing economic depression, when even the railways are not prosperous, the motor trade is also having its share. But is it only the motor industry that is suffering? Are not the other industries also suffering? What about the agricultural industry which embraces the entire population? Who has come forward to reduce the level of taxation borne by that industry? Sir, this motor industry is after all one which is confined to a very small section and which is not one which intimately concerns the welfare of the agricultural population. And when we take into account the serious dangers which threaten the finances of local bodies, we have no choice but to oppose this Bill.”

* Mr. J. A. DAVIS:—“Sir, now that Government has withdrawn its amendment and have recently issued orders that the licence fees should cover only the expenditure incurred for licensing and ought not to be made a source of revenue, I do not think anything is going

A BILL FURTHER TO AMEND THE MADRAS DISTRICT
MUNICIPALITIES ACT, 1920, AND THE MADRAS
LOCAL BOARDS ACT, 1920

[Mr. J. A. Davis]

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to be achieved by this Bill. We are told that in the majority of municipalities the income now on a motor vehicle is something like Rs. 1,000 and that this measure will reduce it to Rs. 850. Further, it is a pity that this measure is going to be a handle for interfering with the rights of local bodies. If you are going to do something really good, there will be no objection. The introduction and passing of the Motor Vehicles Taxation Act was an initial mistake. All local bodies are seriously suffering on account of that Act. There is no use of our now trying to patch up the mistake by amending Bills of this kind. If the Bill is really going to do some good, we could have supported it. But that is not going to be the case as we see from the Mover's own statement. Therefore, it is inadvisable to take away from local bodies the discretion that is vested in them. Local bodies are more and more officialized and this is another step in that direction. I therefore consider that the Bill should not be passed and, if passed, it will be to no purpose."

* Mr. T. C. SRINIVASA AYYANGAR:—"The real point that emerges is that the finances of the local bodies will be seriously affected by the passage of this Bill. And after the statement made by the hon. Minister that he is unable to give figures regarding the various district boards as to how they will be affected, one would have naturally expected that the Government themselves would move for the postponement of consideration of this business for some time. (A voice: 'No.') A certain Friend says 'No.' His experience, I am afraid, is confined to the city of Madras. He has no knowledge of the extent of damage and deterioration the heavy motor traffic has caused to the roads in the districts necessitating very frequent repairs at greater and greater cost. Therefore in a financial measure like this when the reactions are likely to be great, one must move cautiously. I believe the Government must tell us what their alternative is to restore the equilibrium in the finances of the local bodies which are sure to be affected by a measure of this kind. In the absence of that information, it is difficult to make up one's mind. The question is of considerable importance and there is no reason why the matter should be hurried."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"The Bill proposes to fix the maximum limit for levying licence fees. I consider that the rates of fees now levied are unduly low. My hon. Friends, Messrs. Pannirselvam and Narayanaswami Pillai, stated that even under the existing Act the Government had power under the by-laws to restrict the levy of licence fees by the local bodies. I may say that the by-laws have not the same authority as a statute. Further, as the Department of Local Self-Government is in the hands of a popular Minister he is perhaps unwilling to act on those by-laws and fix the limit. I wonder whether the Government have considered the implications of this Bill at all. Before passing this Bill we must take the practical aspects of it into consideration and see how it will affect the existing state of affairs. I ask Mr. Birley whether there has been any dearth of buses

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on any particular road in any district and whether there has been any complaint from any district or any section of the public that owing to heavy taxation buses could not ply on any particular road and that the charges levied for traffic have been very exorbitant. As a matter of fact, the rates seem to be unduly low, as Mr. Patnaik pointed out. This certainly seems to be the case, because the railway companies and the Government have begun to realize that buses are competing very successfully with the railways. This shows that, if there is anything wrong, it is not due to licence fees. This is clear from the fact that there are too many buses and not too few. When there are so many buses plying for hire, paying heavy rates of licensing fees as in Chingleput or Kistna, I cannot understand the necessity for a measure of this kind. In this connexion I must thank Mr. Birley for his honest statement that this Bill is more or less proposed in the interests of the bus industry. Now I would ask the hon. Minister whether he wants to support the motor industry and strangle the finances of the local bodies? This Bill, while it may improve the condition of the motor industry, would ruin the finances of the local bodies. As such, I would ask the Minister not to be a party to it. In fact, I would say that that should be the last aim of any Minister for Local Self-Government.

"Now coming to the remarks made by Mr. Patnaik, I must say that in some respects he overestimated the rate and in some others he underestimated it. He stated that the rate, according to the present Bill, will be Rs. 800. I am afraid it is a little bit exaggerated. In no local body we have buses carrying 25 passengers excluding the conductor and the driver. I request you to consider, Sir, how Rs. 600 will compare with the Rs. 2,000 or Rs. 2,500 which is being charged by the Chingleput or Kistna or Tanjore District Boards. What will be their position if Rs. 2,000 becomes Rs. 600? If a local body has now been getting Rs. 3,00,000 from this source, after this Bill is passed, it will get only a third of it. What will be the state of the administration of that local body if its finances are reduced to that miserable extent? The Motor Vehicles Taxation Act brought down their income by more than 50 per cent and if you now reduce it further by another 50 per cent, what will be the financial position of the local bodies? I want to know whether the Government or the hon. the Chief Minister or his energetic Secretary feel that the local bodies will be in a position to carry on the administration efficiently if their income is further reduced by this Bill. When I said Rs. 600 and odd I forgot to mention that it will be much less than that, because under the provisions of the Bill, if any bus plies in two districts, the licence fee will be two-thirds and one-third for the two local bodies respectively. The average will, therefore, be less than Rs. 600 and odd.

"So, Sir, with these few words I appeal to the hon. the Chief Minister in the interests of the general public and also in the interests of the minor district boards not to accept this measure. I am afraid that, if this Bill is passed into law, it will be the last straw to break

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the finances of the district boards. If it is the intention of the Government to demonstrate that the administration of the local bodies has been a failure, then they can accept this Bill. But, if it is the intention of the Government to make the local bodies stand at the stage in which they are, if not to improve them, then I am sure the Government will not accept this Bill."

* **MR. SAMI VENKATACHALAM CHETTI**:—"Sir, representing the City of Madras as I do, according to the representatives of the mufassal districts, I have no knowledge of inside of the local board politics. However, I venture to suggest that this measure, far from injuring the interests of the local bodies, is in a way calculated to stabilize the uncertain position which the local boards are having in levying licence fees. We have had the benefit of experience of my hon. Friend representing Coimbatore, Diwan Bahadur C. S. Ratnasabhapati Mudaliyar in the Select Committee and I think I am not betraying the confidence of the Select Committee and if I say that he did not then object to this measure and state that this will be 'last straw on the camel's back'."

DIWAN BAHADUR C. S. RATNASABHAPATI MUDALIYAR:—"As a matter of personal explanation, Sir. Even in the Select Committee I opposed it, and I also dissented. But unfortunately the report was not signed by me and if it had been signed by me, I would have added my dissenting minute. There was a Committee appointed by the Government and while on that Committee I opposed this measure. But in another Committee I merely said that the rates recommended by the Government were very low."

* **MR. SAMI VENKATACHALAM CHETTI**:—"I quite sympathize with the plight of the local bodies which have got to surrender a portion of their income to which they have long been accustomed. But it cannot be denied that certain pronouncements were made by Government—and they were also supported by the presidents of local bodies—in which they said that they were committed to a policy of consolidating all kinds of taxation so far as motor vehicles were concerned. It will be within the recollection of my hon. Friend from Tanjore that, when the Motor Vehicles Taxation Act was under discussion, there was some understanding between the Government and the representatives of the people with regard to the complaints made by several people as to the large amount of licence fees collected by the district boards, and that early steps would be taken to consult the district boards so that they might come to some arrangement with regard to the levying of licence fees on motor vehicles so that no particular section of the people had any room for complaint. It is one thing to say that the district boards will suffer on account of the revenues they will have to surrender if they lessen the licence fees and it is quite another thing to say that they (the district boards) should not be asked to lessen their licence fees on that score. My hon. Friend, Mr. Pannirselvam, is too much acquainted with the system of taxation and finance in other countries to be told

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that in no other countries excepting perhaps the Madras Presidency licence fees are considered to be additional sources of taxation to any local body. I would like to draw the attention of my hon. Friend to the pronouncement made by an hon. High Court Judge. I was going just to refer to it when my hon. Friend, Mr. C. S. Ratnasabhapat Mudaliyar, said that there had been no complaints from bus-owners that licence fees were heavy and therefore no question had arisen for introducing this measure. I am afraid he has forgotten the history of licence fees. There have been too many complaints against the levying of licence fees, so much so that some bus-owners took the matter in appeal to the High Court and I may for the benefit of my hon. Friend, Mr. Pannirselvam, read the extracts from the judgment of an hon. Judge of the High Court. This is what he says:—

‘The general and reasonable principle behind a licence fee imposed therefore is that in so far as a district board is ‘out of pocket’ by the extra cost imposed on its resource due to the activities of the business which it permits by its licence to be carried on it is entitled to recoup it by such a fee. This principle is subject to the other principle that the fee shall not be imposed merely in order to obtain revenue but must bear a definite and well-recognized relation to the board’s out of pocket expenses.’

“Several speeches have been made by hon. Members of this House as to whether licence fees are too high and whether they should be lowered or not. Even now the Government have the power, if they are so minded, to lessen the licence fee in a certain proportion with regard to the various local bodies. But then, as has been pointed out by my hon. Friend Mr. C. S. Ratnasabhapat Mudaliyar, that would place the Government in a very delicate position of trying to make a distinction between one district board and another and thus expose them to the criticism that the hon. the Chief Minister is favourably disposed towards a particular local body. In order to avoid that kind of misunderstanding it is very desirable that the matter should be left entirely to the local bodies concerned. The fear that local bodies will lose their revenue if they lessen the licence fees is not well founded. Granting that the revenues will fall, I am afraid in the first instance they ought not to have agreed to the abolition of tolls which we opposed. Mr. Pannirselvam, Sir, may I say, was one of those who supported the abolition of tolls? It is the abolition of tolls that led us to one difficulty or another. Of course I quite sympathize with the local bodies in their loss of revenue on account of the abolition of tolls. But that ought not to be compensated by a double taxation on motor vehicles. A comparison of taxation on motor vehicles in this country with that in other countries will demonstrate the injustice of very high taxation on motor vehicles in this country. One of the reasons advanced for not lowering the licence fees is that people cannot afford to buy buses because on account of the cheapness of travelling, the bus-owners will be losing their income and so much so they will not be inclined to buy buses. That is a very ingenious argument. That kind of argument can also be used the other way. If the villager wants to enjoy more convenience

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he will not mind paying a few annas more or a few annas less. That is a very important question and it cannot be compared with the heavy licence fees upon motor buses. It is said that the loss on account of the lessening of licence fees will affect the local boards much. A careful perusal of the figures will show that the average licensing fees will work at Rs. 880 as against Rs. 1,109. There will be a loss of Rs. 229 only. If the hon. Minister will look into the matter and if he is convinced that certain district boards will suffer on account of this measure, then he may try to compensate them. Apart from that, the reduction in the licensing fees will increase the number of buses and that may bring in additional revenue. In any case if this Bill goes through, we can watch the developments which the local bodies will be faced with and then, if possible, the Government can bring in a comprehensive Bill for raising the provincial taxation so far as the local bodies are concerned."

* Dr. P. SUBBARAYAN:—"I think the hon. Minister for Local Self-Government knew that this Bill was going to be taken into consideration this morning and we on this side of the House would have been more satisfied if he would have given us figures exactly to show in what way the finances of the local bodies would be affected. I believe he has not got such figures. Many presidents of local bodies who have been connected with them for a long time have been telling us that if this measure is passed into law, they will largely be affected. They have already been complaining that the passing of the Motor Vehicles Taxation Act has led to a large decrease in their income. If this decrease of revenue in regard to their licence fees is also to be put on the Statute Book, there is no doubt whatever that their finances will be largely affected. Mr. Sami Venkatachalam Chetti quoted that the average licence fees that the local bodies are getting are Rs. 1,190, but he does not take into consideration that there are roads and roads in this Province which have got to be maintained at a high cost of repair. I think my hon. Friend has not travelled wide on roads in this Province. If he has done that, he would realize exactly the difficulties with which the local bodies are confronted. The soil in this Province varies from district to district. If he travels in what is called black cotton soil, he will understand the difficulties of a particular local body which has got to maintain the roads in that area, especially when there is a heavy bus traffic. I believe before the introduction of bus, it was not necessary for the local bodies to repair the roads except once in two years. Now the local bodies concerned have got to relay their roads once in six months, and these roads are situated in localities where road metal is not easily obtainable. Metal has got to come from long distances and in such cases the price which the local bodies have got to pay is very high. I am sure even my hon. Friends who support the motor industry would not deny this fact that the heavy bus traffic makes it necessary for the local bodies to keep their roads in good repair. Therefore I

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would like to put it like this: even in the interests of the motor industry I do not think you would like to kill the goose that lays the golden egg. If the roads are to be kept in good repair and if the local bodies' finances are to be kept in the same state as they are, then they will not be able to repair their roads if this measure is passed into law and if their income is reduced. So far as the local bodies are concerned, several of their roads have become quite useless for bus traffic, and there will be no use of issuing licence because the roads will not be fit for bus traffic. Therefore the sale of buses is bound to go down. If we turn to the history of road making in this Province we will find that most of the roads will have to be made in either black cotton soil or loamy soil and buses will not be able to ply on such roads. Therefore even if the level of taxation is made low, it will not be possible for the bus-owners to run their buses on these roads. Nor would it be in the interests of the motor industry itself, because without proper roads they will not be able to sell their buses. With a view to coming to a proper agreement with the local bodies concerned, the Government should exert their influence to bring about such an agreement as to make it possible for local bodies to understand the implications that would result by the passing of this measure.

"Therefore, as far as I am concerned, I feel I must oppose this 1 p.m. measure, because we cannot afford to make the finances of local bodies worse than they are to-day. They are already feeling the pinch owing to the economic depression. If really we want the local bodies to carry on the services they do at present—because after all they are the people who serve the interests of the rural population and as has been said time and again, 90 per cent of our people live in rural areas—we should be loath to pass any measure which will, in any way, affect adversely the finances of the local bodies. It is on the financial prosperity of the local bodies that the prosperity of the rural areas depends. The local bodies cannot spread the modern amenities of sanitation, medical aid and education unless their finances are in good condition. Therefore, I would deprecate any measure which would have the effect of taking away from the rural population the amenities they have at present. Therefore, unless some agreement is arrived at with these local bodies, unless the local bodies can feel safe about their finances, I would personally oppose the measure."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, after listening to the discussion so far in the House and the attitude taken by the Government, it seems to me that it will not be proper to proceed with this measure further at this stage. The Government have admitted they have not got the figures with reference to the probable loss to the local bodies by passing this measure. But they have stated they would be able to compensate the local bodies with the help of their reserve power to increase the rate of provincial tax. Sir, more than

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one member connected with a district board and almost every member coming from outside Madras have opposed this measure, and said that the Government would not be able to help them. Moreover the Government have not got accurate up-to-date data regarding the probable loss to the local bodies by passing this measure. Further examination of the implications of this Bill is necessary before the Government can definitely say whether they can make good the loss that is likely to be caused to the local bodies. Therefore, it is not advisable to rush through this measure now and it should be postponed to the next meeting of the Council. Otherwise, every Member coming from outside Madras will be constrained to oppose this measure. The Government will have to see whether they cannot do something to meet the demands of both the parties—the motor industry and the local bodies. It is with that object that I want that this measure should be postponed.

“ I want to say a word with reference to those who want to proceed with this measure at once. They have been saying that in the interests of the people generally a reduction of the taxation ought to be made. Of course, Dr. Subbarayan has replied to that by pointing out that unless the local bodies were put in a sound financial position to enable them to maintain the roads in good condition, the motor industry will not prosper. Therefore, it is in their own interests, if we wait for some time so that we may have the facts and figures before us to judge whether the measure will help the bus trade or not. It is in that view I move—

‘ that the further consideration of this business be adjourned to the next meeting of the Council ’.”

* Mr. YAKUB HASAN:—“ Mr. President Sir, I second the motion of Mr. Ramalingam Chettiyar, for the adjournment of the further consideration of the Bill to the next session of the Council. When this question comes before us for further consideration, I hope, Sir, the House will be placed in possession of facts and figures that will enable it to come to a better conclusion than what would be possible to-day. I am myself in difficulty how to vote in this matter. The hon. the Chief Minister threw out a bait to the presidents and members of district boards to induce them to support this measure. He said that if by passing this Bill the revenues of the district boards were reduced as a result, then the Government will come to their help and raise the tax under the Motor Taxation Act from its present rate of Rs. 7-8-0 to the maximum rate of Rs. 10. If this is to be done, I do not see that the relief that is intended by this measure to be given to the bus-owners will be real relief, for by fixing the maximum rate of licence fees as provided in the present Bill, the buses will be paying less as licence fees, but they will be paying more in the form of taxation. The result will be that the buses will not in any way be benefited to any extent. The passing of the Motor Taxation

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Act was the greatest mistake that the present Ministry has made and this measure was only brought so that the great harm that was done to the motor transport industry may be undone to some extent. There is no use of applying such half-hearted remedies. The real mischief was done by passing the Motor Taxation Act and the real remedy will be that the Act should be repealed and the *status-quo ante* be restored when the district boards were charging tolls as they liked and levying licence fees as they liked. Yet there were no complaints at all and the motor transport industry was flourishing. No complaint was made about the heaviness of the licence fees or tolls. In order to avoid the little inconvenience that motorists were feeling at the toll-gates they agitated against it and no agitators have ever suffered the consequences of their agitation. In my opinion the Government would be very well advised in bringing at the next meeting a Bill repealing the Motor Vehicles Taxation Act. No other remedy will meet the case.

"It was said that this Bill had been brought more in the interests of those who deal in motor vehicles. It is a calumny to say that. I cannot understand that there should be any Member of this House to make such a serious libel against any body of merchants. What is the motor transit industry? Motor bus chassis are imported mostly from America, only very few come from Great Britain; most of them come from America and other places. The bodies are built in India. Most of the materials used is Indian and so much labour is put by Indians and it is Indians who own these buses. If any profits are being made, the money goes into the pockets of Indians. Among the dealers also of these buses there are many Indians. It is only a little money that goes out of India as the price for the chassis and the engines and nothing else. As long as India is not able to make these, we will have to go to foreign countries for them. Otherwise the motor transport business is purely an Indian business and if this industry suffers it is Indians who suffer and only a few Europeans who are dealing in motor cars. Therefore I have much pleasure in seconding this motion for adjournment of the further consideration of this Bill."

* The hon. the RAJA OF BOBBILI:—"Sir, much has been said about the fact that the Government have not been able to place accurate figures before the House. When the Bill was first referred to a Select Committee, the Government addressed the local bodies and received up-to-date figures at that time. They made a rough calculation on the data available and estimated that the loss under the Bill to the various district boards would be about four to five lakhs. But now, it is nearly four to five months since those figures were received and they have become out of date. As I have already stated to the House, I anticipate that in case there is a serious fall in income to the district boards, it will be possible to make good a major portion if not the whole by increasing the rates of provincial taxation. I

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believe, Sir, already the law of diminishing returns has been operating. Even if we adjourn the consideration of this measure to the next meeting, we will not be in possession of more accurate information than we have at present. I therefore desire that as already a great deal of time has been spent by the Select Committee on this measure the House should take this opportunity to express its opinion on the proposals."

* Mr. T. S. RAMASWAMI AYYAR:—"Sir, I desire to support the motion of Mr. Birley that the Bill be taken into consideration at once."

* The hon. the PRESIDENT:—"I think it is much better to put the adjournment motion to the vote of the House before we go on to discuss the main motion."

* Mr. T. S. RAMASWAMI AYYAR:—"Sir, I desire to oppose the motion for adjournment. Certainly I am one of those who feel that hasty legislation should not be resorted to, but the measure before us cannot by any means be called hasty legislation. This Bill was published in the *Fort St. George Gazette* in English on 17th November 1931, the Select Committee met on 10th February 1933 and the final report was adopted on 10th March last. Now we are in August and I do not think that anybody can complain that we are rushing through this Bill. On the other hand, the matter is very simple. The facts are all available; of course it is a pity that the latest figures are not available from the various districts. Whatever that may be, it is high time that we decided the question whether it should be the policy of the Government to allow the local bodies to look to the motor industry as a source of revenue.

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"As has been decided by the Courts, licensing fee should never be considered as a source of revenue. Of course as regards the out-of-pocket expenses which the local bodies incur, they are entitled to be re-imbursed. But then the motorist can very well ask back 'what are the facilities afforded to me.' Will I be able to get my money's worth from the Government?" We have all talked about the rights and privileges of the local bodies; we have considered the question of the motor trade. We have not considered the question of the user of the motor car. As regards ordinary cars, which are owned by private individuals, their question has been settled. The ordinary motorist knows now that he has got to pay a certain fee as tax to the provincial revenues, about Rs. 25 a quarter. What about the poor man? He cannot afford to own a car; he is very much talked of in connexion with rural reconstruction. How are we helping the villager: the villager does not get any facilities. If it is a question of hospitals, hospitals are built in the headquarters; if it is a question of good roads, we have them only in the cities. If it is a question of railways, they do not go into the interior of the districts. What are the facilities afforded to the villager? Does he get anything in return for the taxes he pays? Even as a user of motor-buses, does

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he get back a return for the money he pays? The user of the bus has indirectly to pay all the money the bus-owner has to pay. The first thing that we have to consider is that the Government is getting its revenue not from the licensing fee, not even from the provincial tax, but from the petrol tax. Something like 10 annas per gallon of petrol is taken from the user of the motor-buses”

Mr. V. T. ARASU:—“ On a point of order, may I know if the hon. Member is speaking on the motion before the House, that the consideration of the Bill be adjourned? ”

* The hon. the PRESIDENT:—“ The hon. Member will do well to confine his remarks to the motion before the House, namely, the adjournment motion.”

Mr. T. S. RAMASWAMI AYYAR:—“ I was saying that a matter like this should be considered expeditiously by the House. It is for this purpose that I was referring to those points. It is our duty as legislators to consider the question now and come to a decision. We should not put off the consideration of the question. If it is a question of the private motor car owners, or if it is a question of the motor trade, or if it is a question of the local boards' financial position being affected, we are prepared to rush through legislation. But if it is a question of the poor ryot or agriculturist, who is the user of the buses, we postpone it. It is the bus alone which goes into the interior of the districts, which is the conveyance of the poor people. The bus is the poor man's conveyance and it is a speedy conveyance. I hope therefore that this matter will not be put off. If it is a question of adjusting the rates, certainly it is open to Members to give notice of amendments. If the sum of Rs. 7 or Rs. 8 is considered too low, it is open to a Member to suggest Rs. 8 or Rs. 9 or whatever it is. Personally I feel that at least in one respect, the maximum fee is too low in the case of lorries owned by private individuals. That is a matter of detail. It is not a matter of general principle affecting the Bill. I think it is incumbent upon us to decide the question now.”

* Diwan Bahadur B. MUNISWAMI NAYUDU:—“ Sir, I am sorry for the attitude taken up by the Government towards this very reasonable request from this side of the House that this Bill which is introduced by a private Member, should be given the chance of being considered in all its various aspects. I think the hon. Minister gauged the depth of feeling of Members even on his side, who were and who are presidents of district boards now. Hon. Members, Messrs. Pan-nirselvam and Ratnasabhapatil Mudaliyar, who have spoken against this Bill, expressed grave apprehensions about the possible loss that will accrue to the local bodies from the experience they have had in the past. Nothing can be said against them that they want that the matter should be considered unfairly as against the interests of bus-owners and bus-traders. They speak with experience. They

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are not now the presidents of the district boards to think that by continuing this kind of agitation, they could go on continuing as presidents. There are others, for instance, Mr. Narayanaswami Pillai of Trichinopoly, who are still presidents of district boards and who are not satisfied. His opposition could not be considered as factious opposition from the Opposition Benches. They have stated that they do not know exactly where this legislation will lead to; they have their own apprehensions as to what extent the local boards will be put to loss. The amendment tabled by the hon. the Chief Minister has been withdrawn by him after hearing the various representations made by trade interests. There are Members here who are interested in local bodies; there are others like Mr. Ramaswami Ayyar who are interested in the villages. The hon. Member, Mr. Narayanaswami Pillai, expressed great concern at the fact that the Government withdrew their amendment. Therefore he said that he had no other alternative but to oppose the Bill. We may consider whether there is any other alternative proposal. We have also to consider whether the district boards will suffer or not. All that we want is to have some more time for those who are interested in the matter and for those who are interested in local bodies, both directly and indirectly, to consider over the matter carefully. We are anxious that the principle of the Bill should not be jeopardized, and as the hon. the Leader of the Opposition said, some opportunity should be given to all the interests concerned to put their heads together and to see to what extent the Bill can be amended and improved. My hon. Friend, Mr. Ramaswami Ayyar, in fact stated the case for adjournment when he said that in his opinion the maximum limit in the schedule was low and that it should be raised if possible. That is why we ask for adjournment. The Government had tabled an amendment after considering the representations made by the various local bodies and if the Government at the last moment withdraw their motion and if we are not able to make a change which can take the place of that amendment, we are entitled to ask for adjournment, so that the hon. the Chief Minister may be able to tackle the question taking into consideration the feeling of the Members from his own ranks and of those who are in charge of local bodies and put forward adequate proposals in consultation with Members. Yesterday the Members interested in the motor trade approached the hon. Minister to consider to what extent his amendment would be prejudicial to them. At the same time I thought that the hon. the Chief Minister, as one responsible for the administration of local bodies, would have taken care to consult the Members of his party who are in charge of local bodies and to find out whether his action would be approved by them. Evidently he did not consult them or he was not able to come to a satisfactory decision. We only want that some time may be given for all the parties to see that things are set right. My hon. Friend, Mr. Ratnasabhapaty Mudaliyar, said that, if the rates are put a little higher, it may be possible for the local bodies to accept them. I therefore think that there is a very good case for adjournment

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of the consideration of the Bill. But if the hon. Minister wishes to rush through the Bill in spite of the opposition of the Members on his side, it is left to him to do so."

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

* The hon. the PRESIDENT:—"The discussion on the motion for the adjournment of the business might continue. (After a pause.) I think the House is now ready for a vote.

"The question is that the further consideration of this business be adjourned to the next meeting of the Council."

The motion was put to the House and declared lost. Mr. P. V. Krishnayya Choudari demanded a poll and it was taken with the following result:—

Ayes.

- | | |
|---------------------------------------|------------------------------------|
| 1 Mr. V. M. Ramaswami Mudaliyar. | 15 Mr. U. C. Subrahmanya Bhatt. |
| 2 " P. Bayappa Reddi. | 16 " P. Madhusoodhanan Thangal. |
| 3 " G. Lakshmana Reddi. | 17 Diwan Bahadur B. Muniswami |
| 4 Dr. P. Subbarayan. | Nayudu. |
| 5 Mr. Yakub Hasan. | 18 Mr. K. P. Raman Menon. |
| 6 " K. R. Venkatarama Ayyar. | 19 Diwan Bahadur C. S. Ratnasabha- |
| 7 Rao Bahadur T. A. Ramalingam | pati Mudaliyar |
| Chettiyar. | 20 Mr. M. S. Shreshtha. |
| 8 Mr. V. T. Arasu. | 21 " C. Indriah. |
| 9 " M. A. Manikkavelu Nayakar. | 22 Sriman M. G. Patnaik Mahasayo. |
| 10 " A. B. Shetty. | 23 Mr. J. Kuppaswami Choudari. |
| 11 " P. Peddi Raju. | 24 " P. V. Krishnayya Choudari. |
| 12 " K. A. Nachiyappa Gounder. | 25 " G. Sriramulu. |
| 13 Ahmed Miran Sahib Bahadur. | 26 Rao Bahadur T. M. Narayana- |
| 14 Mr. A. Pl. N. V. Nadimuthu Pillai. | swami Pillai. |

Noes.

- | | |
|------------------------------------|--------------------------------------|
| 1 The hon. Sir Mahomed Usman. | 19 Rao Sahib N. Siva Raj. |
| 2 " Diwan Bahadur Sir M. | 20 Subadar-Major S. A. Nanjappa |
| Krishnan Nayar. | Bahadur. |
| 3 " Sir Archibald Campbell. | 21 Rao Bahadur R. Srinivasan. |
| 4 " Mr. H. G. Stokes. | 22 Rao Sahib V. I. Muniswami Pillai. |
| 5 " Mr. P. T. Rajan. | 23 Mr. B. P. Sesha Reddi. |
| 6 " the Raja of Bobbili. | 24 " P. C. Moses. |
| 7 Rao Bahadur G. Jagannadha Raju. | 25 " P. V. Rajagopala Pillai. |
| 8 Mrs. K. Alamelumanga Thayaramma. | 26 " P. K. Ramachandra Padayachi. |
| 9 Rao Bahadur V. N. Viswanatha | 27 Rao Sahib V. Dharmalingam Pillai |
| Rao. | 28 Mr. A. Harischandrudu. |
| 10 Mr. J. A. Thorne. | 29 " K. Kesava Ramamurti. |
| 11 " H. M. Hood. | 30 Rao Sahib D. V. Narasimhaswami. |
| 12 " C. E. Jones. | 31 Swami A. S. Sahajanandham. |
| 13 " R. Madanagopal Nayudu. | 32 Mr. H. M. Jagannadham. |
| 14 " E. Conran Smith. | 33 Rao Sahib P. Subrahmanyam Chetti. |
| 15 " T. Sundararao Nayudu. | 34 Mr. M. A. Muthiah Chettiyar. |
| 16 Khan Sahib Syed Tajudin Sahib | 35 " A. V. Bhanoji Rao. |
| Bahadur. | 36 Diwan Bahadur A. M. Murugappa |
| 17 Mr. M. D. T. Ranganatha Mudali- | Chettiyar. |
| yar. | 37 The Zamindar of Mirzapuram. |
| 18 Mr. K. C. M. Venkatachala Red- | 38 The Zamindar of Bodinayakanur. |
| diyar. | |

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Noes—cont.

39 Mr. A. Ranganatha Mudaliyar.	45 Mr. R. Foulkes.
40 Rao Bahadur C. Natesa Mudaliyar.	46 „ C. Krishnan.
41 Mr. C. R. Parthasarathi Ayyangar.	47 „ Sami Venkatachalam Chetti.
42 „ F. Birley.	48 „ Basheer Ahmed Sayeed.
43 „ W. W. Ladden.	49 „ T. S. Ramaswami Ayyar.
44 „ R. M. Palat.	50 „ Abdul Hameed Khan.

Ayes 26. Noes 50.

The motion was lost.

* The hon. the PRESIDENT:—“ The discussion on the main motion will now continue.”

* Mr. T. S. RAMASWAMI AYYAR:—“ Mr. President, Sir, I desire to support the main motion that the Bill be taken into consideration. I do not propose to reiterate the arguments that I advanced when I spoke against the motion for adjournment. It is enough for my purpose to state that the Legislative Council as a body that is committed to a policy of improving the amenities of the people, should try to see that the poor man gets his conveyance. As regards the rates that have been fixed, they have been fixed by the Select Committee after going into the question in detail. I find from the note of the Select Committee that except my hon. Friend, Mr. Muniswami Nayudu, all the Members have voted in favour of the Committee's report *in toto*. My friend, Mr. Muniswami Nayudu, merely states that he is in favour of the principle of the Bill but that he thinks that the rates proposed as maxima should be increased. I do certainly agree with him in some of the details; for instance, with regard to the lorries owned by private individuals, the maximum fixed in the Bill is very low. They have fixed it at something like Rs. 1-4-0, which I should say is much too low; for lorries do as much harm to the roads as buses. It may be that lorries are useful in an agricultural country where the agricultural produce has to be taken long distances for marketing. But, at the same time, there must be a sense of proportion in these matters, and the rates fixed in the Bill are certainly very low. I therefore think that as between the Members of the House on both sides, it should be possible to agree to certain rates and make certain alterations in the rates. I appeal to the Mover of the Bill himself and to the other Members to come to an arrangement with regard to the raising of the rates where they are very low. Except for that, I think we should vote for the Bill as it stands. The Bill is going to help the building up of communications in the mufassal. It is suggested that the Madras Members do not feel the troubles that afflict the mufassal local boards. I am not quite sure if the mufassal Members themselves are aware of the ways in which their finances could be improved. It is often said that the finances of the local bodies are at a low ebb.

2-45 p.m. “ I wish to take this opportunity to say that the cause for the finances of the local bodies being at a low ebb is not the want of money coming in out of licence fees. In some cases it is the want of efficiency

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in management. I do not say that in all cases there is inefficient management. But I do want members of local bodies to see that their finances are managed properly, that their budgets are cast well and that their expenditure is also curtailed. If greater control is exercised by local bodies over their finances, I am quite sure they would not need high licence fees. Merely because they are in a difficult plight, they cannot try to get out of it by enhancing the motor tax. It was only the other day that we accused the Government of not being sympathetic to ryots and agriculturists. We said when the agriculturist is not able to get his income from the land, it is the duty of the Government to come to his rescue and reduce the tax. When we have by an almost unanimous vote urged the reduction of the land tax, even though the Government were badly in need of finances, how is it possible now, when the poor man is not able to pay the tax on the motor bus, to say that because the finances of the local bodies are in a bad plight, the bus owner should pay whether he is able to do so or not. That should not be the maxim that should guide us in this matter. I am confident that the House will see that in a matter of this kind, it is not enough merely to look to the finances of the local bodies alone. It is of course necessary to see that the finances of the local bodies are improved and assured. But by enhancing the motor tax we are not going to help them. They must try to see that revenues are expanded properly. We have also got the assurance from the hon. the Chief Minister that if there is any loss incurred by local bodies caused by this change in taxation, the Government will reimburse them. As I said before, we should not consider that this is going to be a source of revenue. As regards the revenue, it is obtained by the petrol tax, and we have also got the provincial tax which goes to the provincial exchequer. With these only the roads should be maintained properly. If we are not able to do that with the income derived from petrol tax and provincial tax, I do not think it is worth while for us to keep the roads at all. It is the duty of the Government to see that these roads are maintained from these two sources of income. If other incomes are derived by local bodies by licence fees, it should be merely for the purpose of having control over the buses, or to enable them to exercise that control efficiently. I have therefore great pleasure in supporting this motion for consideration of the Bill."

Rao Bahadur P. C. MUTHU CHETTIYAR then spoke in Tamil:—

"கனவான்களே! லேஸென்ஸீசு பஸ் விஷயமாக:—இப்போது இரண்டு விதமாக அனுதாபிக்கிறார்கள். ஒன்று, லோகல் போர்டு வரும்படி வரவேண்டியதைப்பற்றி, மற்றொன்று, ஜனங்கள் அதிகமாய் கொடுக்கவேண்டியதைப்பற்றி, இவை இரண்டும் வாஸ்தவமாய் கருதப்படவேண்டியவைகள்தான், ஆனால் எப்படி இவை இரண்டும் கேஷமத்துக்கு வரக்கூடுமென்பதைப்பற்றி நான் சந்தேகிக்கிறேன். இந்த ஹவுசில் கற்றறிந்த யாவரும் கவனிக்கவேண்டியவை மோட்டார் என்னும் பல பெயரையுடையவைகள் இந்த கண்டிசுக்கு வராதிருக்க யோசனை செய்வார்களா? அப்படியானால் கண்டிசு பணங்கள் மீதமாகும், ரோட்டுகள் கொடாதிருக்கும், ஜனங்கள் நன்மையடைவார்கள்.

[Mr. P. C. Muthu Chettiyar]

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“மோட்டார் வாங்குவதும் விற்பனையும் முக்கியமல்ல. இன்னும் சிறிது காலத்தில் மோட்டாருக்கே விலையில்லாது இலவசமாக வரப்போகிறது. ஆனால் ஒரு கண்டிஷனோடு கிடைக்கும். மாசத்திற்கு 500, 1,000 மைல்கள் சவாரி செய்யா விடில் கிரையத்தை கொடுக்கவேண்டுமென ஓர் கண்டிஷன் ஏற்படும். அதினால், ஆயில், ஸ்பேர் பார்ட்டு, டயர்கள் இது ஏராளமாக விற்பனையாகவேண்டும். இது தான் முக்கிய நோக்கம். இதில்தான் ஏராளமான பணங்கள் விரையமாகின்றன. இதை யடைபவர்களிடம் ரோட்டுகளின் பூர்ண சிலவுகளை ரோட்டு போர்டு யோசனை செய்து வசூலிக்க யோசனை செய்யவேண்டும். ஆனால் கம்பெனிகள் ஆள்பாரம் பூமியிலே என்றமாதிரி புத்திமான்கள் சாமான்களில் உயர்த்தாது செய்ய கண்டிஷனிடுக்கவேண்டும்.

“இதை விட்டுவிட்டு மோட்டார் நடத்துபவர்களுக்கு அதிகம் ஏற்படுத்தினால் ஜனங்களுக்கு ரேட்டை அதிகமாக்கிவிடுகிறார்கள். இதில் என்ன அனுதாபம்.

“லோகல் போர்டுக்கு பணம் அதிகமாக வேனுமென்கிறார்களே. அதிகமாக கிடைப்பதிலிருந்து ஏராளமான கண்டாக்குவிடலாம். நல்லதே.

“லோகல் போர்டாருக்கு மட்டில் நோ கான்பிடன்சு மோஷன் கொண்டு வர விவஸ்தையில்லாத ஒரு செக்ஷனை ஆனர்பிள் மினிஸ்ட்டர்களுக்கும் கவர்ன்மெண்டுக்கும் ஏற்படுத்தியிருக்கும்போது லோகல் போர்டுகள் எப்படி நன்மையடையும். அது ஒழியவே யோசனையோடானி அவர்கள் பவரில் சிலைக் கமிட்டியும் சிபார்சு செய்து இருக்கும் அந்த செக்ஷன்களை அடியோடு எடுத்துவிடாதவரையில் லோகல் போர்டு பண வரவு தேடும் முயற்சி சரியல்ல. வீணை சொல்லமுடியாத தொந்தரவை விளைவிக்கும் அந்த செக்ஷனை பூர்ணமாக எடுத்துவிடாதவரையில் ஜனங்களுக்கு கொடுத்த செலப் கவர்ன்மெண்ட் என்னும் சுதந்திரம் போலியாகும்.

“எலெக்ஷன்களுக்கும் வீண்சிலவின்றி நியாயமாகும் ஆனரபிள் சீப் மினிஸ்ட்ரவர்கள் மிஸ்டர் பரலி துரையவர்கள் பேசும் பில் பாசாக வேண்டுமென லோகல் போர்டுக்கு பண கம்மிக்கு இதர பிலாவேட் சர்வீசுக்கு புரொவின்கலாக வரியை ஜாஸ்தி செய்ய யோசனை தெரிவிக்கிறார்கள். அது தகுதியா, ஒரு காலும் பொருந்தாது. ஜம்பத்துக்கு வைத்திருப்பவர்கள் தாக்குகிறேனென்றிருர். ஆனால் அவர்கள் சிலவும் வீண்தானே. அப்படிப்பட்ட வீண்சிலவை துணிபவர்களுக்கு ஏன் அதிகப்படுத்தப்படாது என்று யோசனை செய்யலாம். அதுக்கும் ஓர் அறிவிப்புதான்.

“ஆனரபிள் மெம்பர் நமது நண்பர் யாகுப் ஹுசேனவர்கள் மற்றொரு யோசனை தெரிவிக்கிறார்கள். அதாவது கற்றறிந்தவர்கள் சேர்ந்து டோல் கேட்டு நிபந்தனையை எடுத்துவிட்டு ஏற்படுத்தியுள்ள சட்டத்தையொழி பழைய சட்டத்தையே உபயோகித்து டோல்வரி ஏற்படுத்திவிடலாமென்கிறார்கள்.

“அப்படியானால் கற்றறிந்த மினிஸ்ட்டர்கள் தீர்க்காலோசனையில்லாது செய்த காரியமா. கோலம் போடுவது அழிக்கிறது என்றால் தகுதியாகாது.

“முற்காலத்தில் செய்துள்ள சட்டங்கள் 30, 40 வருஷங்கள் வரையிலும் மாற்றமில்லாது வந்திருக்கின்றன. என்ன பெருமையுடையது. இப்போதிய மாதிரி மாசம் ஒரு மாருதல் வருகிறது சரியா.

“ஆகையால் டோல்கேட்டு என்பது இனி மறந்துவிடத்தக்கது. அதை சிந்திக்கலாகாது. ஜனங்களுக்கும் முக்கியமாயுள்ள விவசாயிகளுக்கும் ஒருபோதும் அங்கீகரிக்கமுடியாதவைகள்.

“ஆகையால் இவ்விரண்டு அபிப்பிராயங்களையும் ஒப்பமுடியாதென ஹவுஸ் தீர்மானிக்க பிரார்த்திக்கிறேன்.”

The motion that the Bill No. 25 of 1931 be taken into consideration was then put to the House and declared carried.

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Mr. V. T. Arasu demanded a poll and the House divided thus:— 3 p.m.

Ayes.

- | | |
|---|--|
| 1 The hon. Sir Mahomed Usman. | 29 Mr. P. Bayappa Reddi. |
| 2 " Diwan Bahadur Sir M. Krishnan Nayar. | 30 " P. K. Ramachandra Padayachi. |
| 3 " Sir Archibald Campbell. | 31 " G. Lakshmana Reddi. |
| 4 " Mr. H. G. Stokes. | 32 Rao Sahib V. Dharmalingam Pillai. |
| 5 " Diwan Bahadur S. Kumara-swami Reddiyar. | 33 The Zamindar of Mirzapuram. |
| 6 " Mr. P. T. Rajan. | 34 The Zamindar of Bodinayakkanur. |
| 7 " The Rajah of Bobbili. | 35 Mr. M. A. Muthiah Chettiyar. |
| 8 Rao Bahadur G. Jaganudha Raju. | 36 " A. V. Bhanoji Rao. |
| 9 Mrs. K. Alamelumangathayaramma. | 37 Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 10 Rao Bahadur V. N. Viswanatha Rao. | 38 Mr. Daniel Thomas. |
| 11 Mr. J. A. Thorne. | 39 Swami A. S. Sahajanandam. |
| 12 " H. M. Hood. | 40 Rao Sahib P. Subrahmanyam Chetti. |
| 13 " C. E. Jones. | 41 Diwan Bahadur A. Appadurai Pillai. |
| 14 " R. Madanagopal Nayudu. | 42 Rao Sahib D. V. Narasimhaswami. |
| 15 " E. Conran Smith. | 43 Mr. A. Harischandrudu. |
| 16 " T. Sundara Rao Nayudu. | 44 " K. Kesava Ramamurti Nayudu. |
| 17 Khan Sahib Syed Tajudin Sahib Bahadur. | 45 " S. M. K. Beyabani Sahib. |
| 18 Mr. M. D. T. Ranganatha Mudaliyar. | 46 " Sami Venkatachalam Chetti. |
| 19 " K. C. M. Venkatachala Reddiyar. | 47 " T. S. Ramaswami Ayyar. |
| 20 " G. Ranganatha Mudaliyar. | 48 " Abdul Hameed Khan. |
| 21 " M. Devadasan. | 49 " Basheer Ahmed Sayeed. |
| 22 Rao Sahib N. Siva Raj. | 50 Mr. K. A. Nachiyappa Gounder. |
| 23 Subadar-Major S. A. Nanjappa Bahadur. | 51 " M. S. Sreshta. |
| 24 Rao Bahadur R. Srinivasan. | 52 Rao Bahadur C. Natesa Mudaliyar. |
| 25 Rao Sahib V. I. Muniswami Pillai. | 53 Mr. C. Basu Dev. |
| 26 Mr. M. Vedachala Mudaliyar. | 54 " F. Birley. |
| 27 " B. P. Sesha Reddi. | 55 " W. O. Wright. |
| 28 " P. V. Rajagopal Pillai. | 56 " W. W. Ladden. |
| | 57 " R. Foulkes. |
| | 58 " F. J. Stanes. |
| | 59 " W. K. M. Langley. |
| | 60 " C. Krishnan. |

Noes.

- | | |
|--|---|
| 1 Mr. T. Narasa Reddi. | 14 Mr. K. P. Raman Menon. |
| 2 Dr. P. Subbarayan. | 15 " G. R. Premayya. |
| 3 Mr. K. R. Venkatarama Ayyar. | 16 Sriman M. G. Patnaik Mahasayo. |
| 4 Rao Bahadur T. A. Ramalinga Chettiyar. | 17 Mr. C. Indriah. |
| 5 Mr. T. C. Srinivasa Ayyangar. | 18 " J. Kuppuswami Choudari. |
| 6 " V. T. Arasu. | 19 " Mahboob Ali Baig. |
| 7 Rao Bahadur P. C. Muthu Chettiyar. | 20 " P. V. Krishnayya Choudari. |
| 8 Mr. P. Peddi Raju. | 21 Rai Sahib C. Kolanda Reddi. |
| 9 " K. Ahmed Miran Sahib. | 22 Mr. M. B. Rangaswami Reddi. |
| 10 " A. Pl. N. V. Nadimuthu Pillai. | 23 " G. Sriramulu. |
| 11 Pattagar of Palayakottai. | 24 " K. M. Duraiswami Reddiyar. |
| 12 Mr. P. Madhusoodhanan Thangal. | 25 Rao Bahadur R. K. Venugopal Nayudu. |
| 13 Diwan Bahadur B. Muniswami Nayudu. | 26 Rao Bahadur T. M. Narayana-swami Pillai. |
| | 27 Mr. G. Simhachalam Pantulu. |

Neutral.

- | | |
|-----------------------------------|---|
| 1 Mr. V. M. Ramaswami Mudaliyar. | 5 Mr. U. C. Subrahmanva Bhatt. |
| 2 Rao Bahadur A. T. Pannirselvam. | 6 Diwan Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 3 Mr. M. A. Manikkavelu Nayakar. | |
| 4 " A. B. Shetty. | |

Ayes 60.

Noes 27.

Neutral 6.

The motion was carried.

The Bill was then taken into consideration.

[1st August 1933]

Clause 1.

Clause 1 of the Bill was put and carried.

Clause 2.

* Mr. V. T. ARASU :—" I move—

that in clause 2, sub-section (3), for the words " twelve annas " in the second column, the words " one rupee four annas " be substituted.

" My object in moving this amendment is that the rate now fixed, viz., twelve annas is too low. This can be very safely raised to Rs. 1-4-0 without in any way jeopardizing the motor industry about which much has been said just a while ago."

Rag Bahadur P. C. MUTHU CHETTIYAR :—" I second it."

Mr. F. BIRLEY :—" I oppose the amendment. If this amendment is carried it destroys entirely the whole purpose of the Bill."

The amendment was put and lost.

* Mr. V. T. ARASU :—" I move—

that in clause 2, sub-section (3) (b) for the words " one rupee four annas " in the second column, the words " forty rupees " be substituted.

" As has been pointed out by more than one speaker the rate fixed for private lorries is ridiculously low. That is the word used by one of the supporters of the measure, I mean, Mr. T. S. Ramaswami Ayyar. Lorries which are supposed to ply for hire are asked to pay Rs. 50. I cannot understand why the private lorries alone should pay Rs. 1-4-0. The disparity is very great. There is also another difficulty. There will be very great difficulty in deciding whether a lorry plies for hire or whether it is private. As merely an instance, I will point out the lorries used by the Burma Shell Company. They have a large number of lorries in municipalities. The unladen weight of any of these lorries is very much higher than any of the lorries that are usually let out for hire. It is natural that these heavy lorries of the Burma Shell would damage the roads more than the lighter ones plying for hire. Why should they, the Burma Shell, pay only Rs. 1-4-0, whereas the owner of a lorry plying for hire should be asked to pay about Rs. 50? As I pointed there will be very great difficulty in deciding whether a lorry is private or whether it is plying for hire. Take for instance those owned by Messrs. Wrenn Bennett & Co. I have known them transporting the furniture of their clients from one place to another, for a consideration. They do such service frequently, perhaps more frequently than those who ply their lorries for hire. Under what category will those lorries come? Will they be classed as private lorries or as plying for hire? I would also quote one other instance. Now there are so many toddy contractors who own lorries for transporting toddy from one place to another. Under what category would they come?

1st August 1933]

[Mr. V. T. Arasu]

Are they private lorries or lorries for hire? In order to avoid these difficulties and to remove the disparity in the rates, and to make them equal, I move that the amount be fixed at Rs. 40 which is the mean of the rates for the various classes of lorries given in this Bill."

* Sriman M. G. PATNAIK Mahasayo:—"I have great pleasure in seconding the motion. So far as damage to roads is concerned, I see no difference between the lorry which plies for hire and another which does not ply for hire. No doubt ordinarily a certain lorry which goes for fare on particular occasions may be termed a lorry plying for hire. If we go deeper into the matter we find there is no difference between the lorry that plies for hire on particular occasions and another which belongs to a firm and carries things sold. A man who owns a lorry plying for hire on particular occasions makes some investment and wants to gain some profit. So also firms invest part of the capital in lorries and take into consideration the cost of transport when handing over goods. The firm charges more for the transport of the thing from the headquarters to any other place, than they would do for delivery at the office. So I do not see how there can be any difference on principle between lorries which ply for hire and lorries which go in the name of private lorries, but the charges for which are included in the cost of the thing sold. Therefore, the distinction is artificial and the difference is very little. Therefore I say the clause adopted by the Select Committee is quite unreasonable. Therefore the proposition of my Friend should be adopted."

* Mr. F. BIRLEY:—"Mr. President, I am afraid I cannot accept the amendment. This licensing fee is merely a nominal fee in order to have control over the lorry. Taxation is imposed by the Provincial Government and the lorry pays its tax to the Local Government. The fact that firms make large profits has no bearing on the subject. They pay their income-tax to the Central Government Re. 1-4-0 is a nominal fee which is suitable merely to give the district board control over the lorry."

The amendment was put and declared carried.

A poll was demanded and the House divided thus:

3-15
p.m.

Ayes.

- | | |
|--|---------------------------------------|
| 1 Mr. M. D. T. Ranganatha Mudaliyar. | 13 Mr. V. T. Arasu. |
| 2 " V. M. Ramaswami Mudaliyar. | 14 Rao Bahadur P. C. Muthu Chettiyar. |
| 3 " B. P. Sessa Reddi. | 15 Mr. M. A. Manickavelu Nayakar. |
| 4 " P. Bayappa Reddi. | 16 " A. B. Shetty. |
| 5 " G. Lakshmana Reddi. | 17 " G. Simbachalam. |
| 6 Rao Bahadur T. M. Narayanaswami Pillai. | 18 " P. Peddiraju. |
| 7 Dr. P. Subbarayan. | 19 " Ahmed Meeran. |
| 8 Mr. Yakub Hasan. | 20 " K. A. Nachiyappa Gounder. |
| 9 " K. R. Venkatarama Ayyar. | 21 " A. P. N. V. Nadimuthu Pillai. |
| 10 Rao Bahadur T. A. Ramalingam Chettiyar. | 22 Pattagar of Palayakottai. |
| 11 Mr. T. C. Srinivasa Ayyangar. | 23 Mr. U. C. Subrahmanya Bhatt. |
| 12 " T. S. Ramaswami Ayyar. | 24 Diwan Bahadur B. Muniswami Nayudu. |
| | 25 Mr. K. P. Raman Menon. |

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Ayes—cont.

26 Diwan Bahadur C. S. Ratnasabha- pati Mudaliyar.	32 Mr. P. V. Krishnayya Choudari.
27 Mr. G. R. Premayya.	33 Rai Sahib C. Kolanda Reddi.
28 Sriman M. G. Patnaik Mahasayo.	34 Mr. M. B. Rangaswami Reddi.
29 Mr. C. Indrayya.	35 „ G. Sriramulu.
30 „ J. Kuppaswami.	36 Rao Bahadur R. K. Venugopal Nayudu.
31 „ Mahboob Ali Baig.	

Noes.

1 The hon. Sir Mahomed Usman.	25 Mr. P. V. Rajagopal Pillai.
2 „ Diwan Bahadur Sir M. Krishnan Nayar.	26 „ P. K. Ramachandra Pada- yachi.
3 „ Sir Archibald Campbell.	27 Zamindar of Bodinayakanur.
4 „ Mr. H. G. Stokes.	28 Mr. M. A. Muthiah Chettiyar.
5 „ Diwan Bahadur S. Kumara- swami Reddiyar.	29 „ A. V. Bhanoji Rao.
6 „ Mr. P. T. Rajan.	30 „ J. A. Davis.
7 „ The Raja of Bobbili.	31 „ Daniel Thomas.
8 Mr. C. E. Jones.	32 „ H. M. Jagannatham.
9 „ J. A. Thorne.	33 Rao Sahib P. Subrahmanyam Chetti.
10 „ H. M. Hood.	34 Rao Bahadur V. N. Viswanatha Rao.
11 „ R. Madanagopal Nayudu.	35 Diwan Bahadur A. Appadurai Pillai.
12 „ E. Conran Smith.	36 Rao Sahib D. V. Narasimhaswami.
13 „ T. Sundara Rao Nayudu.	37 Mr. K. Kesavaramamurti.
14 Khan Sahib Syed Tajudin Sahib Bahadur.	38 „ S. M. K. Beyabani Sahib.
15 Mr. T. Narasa Reddi.	39 Sami Venkatachalam Chetti.
16 Rao Bahadur A. T. Pannirselvam.	40 Mr. V. P. Narayanan Nambiyar.
17 Mr. K. C. M. Venkatachala Reddi- yar.	41 „ Abdul Hameed Khan.
18 „ G. Ranganatha Mudaliyar.	42 „ M. S. Sreshta.
19 Rao Bahadur R. Srinivasan.	43 „ R. M. Palat.
20 Rao Sahib N. Siva Raj.	44 Rao Bahadur C. Natesa Mudaliyar.
21 Subadar Major S. A. Nanjappa Bahadur.	45 Mr. C. Basu Dev.
22 Rao Sahib V. I. Muniswami Pillai.	46 „ F. Birley.
23 Mr. M. Vedachala Mudaliyar.	47 „ W. O. Wright.
24 „ P. C. Moses.	48 „ R. Foulkes.
	49 „ F. J. Stanes.
	50 „ W. K. M. Langley.
	51 „ W. W. Ladden.
	52 Zamindar of Mirzapuram.

Ayes 36. Noes 52.

The amendment was lost.

Mr. ABDUL HAMEED KHAN:—“ Mr. President, I move the amendment that stands in my name to the following effect:—

“ that in clause 2, sub-section (4), after the words “ at a time ”, the words “ at the option of the owner of the vehicle ” be added.”

“ I move this amendment in order to give the right to the owner of the vehicle to utilize the advantage of this section so that he might get the licence fee granted for one or more quarters not at the sweet will and pleasure of the chairman of a municipality but as required by him. Owners of these vehicles are put to a good deal of inconvenience, and in very many cases they are unable to pay up the licence fee entirely for the whole year all at once. We find from the Select Committee report that we have already given that facility to the owners of the vehicles. But

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there is a little lacuna in the language used, inasmuch as the right of deciding whether the licence should be granted for one or more quarters at a time will be exercised by the authorities and it is not left to the owner of the vehicle. I therefore hope that this House will accept this very harmless amendment."

Mr. BASHEER AHMED SAYEED:—"I second it."

Mr. F. BIRLEY:—"I am glad to accept that amendment."

The amendment was put and carried.

Clause 2, as amended, was then put and carried.

Clause 3.

* Mr. V. T. ARASU:—"Mr. President, I move—

'that in clause 3, sub-section (3) (b), for the words "one rupee four annas" in the second column, the words "one hundred rupees" be substituted.'

"The effect of this amendment is just the same as the one just now rejected by this House. But there is this difference. The one that was rejected pertained to municipalities, whereas this one pertains to the district boards. In this case I am suggesting a higher fee, viz., Rs. 100, as the area of a district board is very much bigger than the area of a district municipality. However, I am prepared to accept any amendment fixing the fee at a lower figure. As amended the clause would read as follows:—

'(b) In the case of a motor lorry not plying for hire. One hundred rupees for each quarter or portion thereof.'"

Rao Bahadur P. C. MUTHU CHETTIYAR:—"I second it."

* Mr. T. S. RAMASWAMI AYYAR:—"Sir, I desire to move an amendment to Mr. Arasu's amendment, viz.—

'that "Ten rupees" be substituted for "one hundred rupees".'

"My reason for proposing this amendment is this. Originally Rs. 1-4-0 was fixed, and I take it that many Members of the House felt that Rs. 1-4-0 was too low a figure for a motor lorry not plying for hire. True if it is a private lorry, it should not be charged as much as a lorry plying for hire. At the same time, there is a certain amount of strain on the roads used by these private lorries.

"Mr. Arasu by fixing the figure at Rs. 40 in a previous amendment in the District Municipalities Act was not able to carry the House with him because Rs. 40 was considered too big a figure. As I suggested in an earlier stage of the debate, if Government have been able to come to certain terms and thus to a compromise, it would have been possible to have a unanimous vote. One Member of the Select Committee has suggested Rs. 1-4-0. Many of us feel that it is too low. Now, Mr. Arasu wants to have it at Rs. 100 by his amendment. Many of us are not able to agree to the amendment. I therefore suggest as a compromise that it

[Mr. T. S. Ramaswami Ayyar] [1st August 1933]

should be Rs. 10 a quarter. I think, Sir, that is a fair figure. It is not too high a figure in the case of private lorries, because lorries plying for hire have to pay as much as Rs. 100 and even Rs. 160. In the case of lorries owned by individuals and used for private purposes, taking into consideration the wear and tear of the roads caused by some of these lorries having to run on the roads and also taking into consideration the fact that the lorries serve a useful purpose in an agricultural country like ours, I would suggest Rs. 10 as a reasonable compromise. I therefore am of opinion that the House would certainly take it to be reasonable and accept it.

“ There is only one observation I desire to make. It may be thought that in a previous instance with regard to district municipalities where Mr. Arasu wanted to increase the figure to Rs. 40 we left it at Rs. 1-4-0, and that in regard to local board areas if we pass this figure it will be inconsistent with the earlier figure. For that, my only suggestion is that after passing this amendment fixing Rs. 10, when the third reading of the Bill comes up it will be possible for us, if the House will allow it, to substitute Rs. 10 in the other case also.”

Mr. YAKUB HASAN :—“ I second it.”

The hon. the RAJA OF BOBBILI :—“ I may mention for the information of my hon. Friend that the present Bill does not seek to reduce the existing rate. The present rate is Rs. 1-4-0.”

* Mr. F. BIRLEY :—“ Mr. President, Sir, I am sorry I cannot accept the reasons given by my hon. Friend, Mr. Ramaswami Ayyar, for his amendment, because it is a question of principle. The present licence fee is Rs. 1-4-0 and there is no reason why it should be increased. The same argument that I used before with regard to the taxation of owners of private lorries applies equally in this case. The licence fee is a licence fee within the literal meaning of the expression, and is merely a fee to give the district board or the municipality control over the licensing of the vehicle. As for taxation of the vehicle for the use of the road, they pay Rs. 600 per annum to the Provincial Government, and that is the tax on the vehicle. With regard to the alleged enormous profits made by the firms which use these lorries, as I said before, these profits are taxed by the Central Government of India by means of income-tax. It seems to me quite unnecessary to take into account the fact that the firms using these lorries make profits, because that is entirely irrelevant to the question at issue. Mr. President, I am afraid I cannot accept the amendment.”

3-30
p.m.

Mr. V. T. ARASU :—“ For my part I am willing to accept the amendment of Mr. Ramaswami Ayyar. In doing so I should like to make an observation by way of reply to Mr. Birley. Mr. Birley has pointed out, as also the hon. Minister, that the existing rate is Rs. 1-4-0 and therefore there is no need for amending it. If you are amending any particular legislative measure, we level it up or level it down. Here it is pointed out that the figure is too low; therefore is it not necessary,

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[Mr. V. T. Arasu]

when an amending measure is before the House, to level up and bring the figure in line with the rates proposed for lorries which are plying for hire? Mr. Birley has laid considerable emphasis on the point that the owners of these private lorries pay taxes to the general revenues. He is probably not aware of the fact that the owners of lorries for hire are also contributing to the general revenues indirectly through the Local Government as motor vehicle taxation. Therefore, there is no point in saying that the owners of private lorries alone pay to the general revenues and therefore should be exempt from licensing fee. It is like paying income-tax.

"I withdraw my amendment and accept the one proposed by Mr. Ramaswami Ayyar."

Mr. Arasu's amendment was, by leave, withdrawn.

* Mr. E. CONRAN SMITH:—"I think the discussion has ignored the important distinction that exists between a lorry plying for hire and any other lorry. That distinction is recognized already in section 166 of the Act. A motor plying for hire whether a bus carrying persons or a motor lorry carrying goods has to stop at scheduled places, and run on a scheduled route, picking up and setting down passengers or goods, and it is just that distinction between a motor vehicle plying for hire and an ordinary lorry which the Government has recognized. Plying for hire has therefore a technical meaning. Government have many times examined this question on representations made to them, and have definitely decided that the correct definition of the term is what I have stated. There must be a scheduled route and fixed stopping places in the case of lorries plying for hire. This does not apply in the case of other lorries. I would recommend to this Council therefore to leave the existing rate as it is."

* The hon. the PRESIDENT:—"The question is: In clause 3, sub-section (3) (b), for the words 'one rupee four annas' in the second column, the words 'ten rupees' be substituted."

The amendment was lost.

* Mr. M. A. MUTHIAH CHETTIYAR:—"I move—

'In clause 3, sub-clause (i), in line 2, for the expression "sub-section (6)" substitute the expression "sub-section (7); and".'

'In sub-clause (ii) after new sub-section (5) insert the following sub-section, namely:—

"(6) (a) If, during the period of currency of a licence, a motor vehicle is destroyed or removed from the road on account of its being unfit for further service and is replaced by another vehicle falling under the same class of sub-section (3), no fee shall be levied for the grant of a licence for the latter vehicle in respect of the remaining portion of the said period."

[Mr. M. A. Muthiah Chettiyar] [1st August 1933]

“(b) *Where the licence fee for any motor vehicle has been paid for any period and the vehicle has not been used during the whole of that period or a continuous part thereof not being less than one month, a refund of the fee at such rates as may from time to time be determined by regulations made by the district board with the previous approval of the Local Government shall be payable subject to such conditions as may be specified in such regulations.*”

“Sir, I do not intend making a long speech. This is only a copy of similar provisions in the Motor Vehicles Taxation Act, and the object of clause 6 (a) is to see that one person does not pay twice during any one quarter for running one bus. Clause 6 (b) is intended to give relief in cases where vehicles are not used for a considerable period during a quarter.

“I hope the House will accept the amendment.”

MR. T. SUNDARA RAO NAYUDU:—“I second it.”

* MR. BASHIR AHMED SAYEED:—“I rise to suggest for the consideration of the House the difference that we ought to keep in view when we consider this amendment. The Motor Vehicles Taxation Act deals with cases of taxation, and in taxation it is quite proper that there should be refunds and rebates allowed to the tax-payer. But I think the same principle cannot be extended to the fees charged for issue of licenses. The levy of license fee stands on quite a different footing from the levy of taxes, particularly of the nature of a provincial tax like the motor vehicles tax. That being the case the same principle and the same clause could not be incorporated in a measure like this, where it is merely the levy of a license fee. Apart from that, there is also great risk of the local boards using a good deal of the little income that they will be getting by the levy of license fees. Already there has been an uproar against the rates of licensing fee imposed by this Bill. If you are going to further provide for refunds and rebates, I think the position will be still worse. I do not think, in the interests of the local boards and also in the interests of the administration of the department issuing licenses, it is advisable that we should bring in such an amendment, I do not think there is any great necessity or justification for an amendment of this kind. I can well understand if in a measure of taxation we provide for such a rebate. But in the case of licenses issued every year or quarter, it would have been much better if the licenses are defined for the period of a year or portion of the year. All licenses in municipalities or local boards either in this country or elsewhere are governed by the annual or half-yearly license fee. Mostly they happen to be annual. Already we have diverted from the well-established principle of having licenses for the year. Now we are going further down and say that even in this quarterly payment of license fee we should make some concession. Either from the point of administration or of income it will not be in the interests of the local boards.”

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* Mr. V. M. RAMASWAMI MUDALIYAR :—“ A sympathetic local board may show a concession of this nature to motor bus owners. I have just to point out one difficulty with which the local boards would be faced if a compulsory provision of this nature is enacted. I desire that the Government should remember that in the case of local boards there is practically no checking authority to scrutinize their licenses. At present the competition and rivalry between bus-owners which is the only means of checking brings in most of the revenue. There are still a large number of buses which are run without licenses from one quarter to another. That being the difficulty the district boards are placed under, namely, that they have not any machinery to check just as the Government have, it will be making the task and the position of the district board very delicate and difficult if it has also to take up the work of adjustment proposed in the first part of the amendment. The difficulty will be all the greater if the second part of the amendment is accepted. May I ask if no provision is made for the checking of licenses who is to decide this question of finding out whether a motor bus ran on the road for less than a month or more than a month? These are some of the principal difficulties which the local boards would be faced with almost every day. I would therefore urge on the Mover of this amendment to delete that portion of the second clause. With regard to the first clause I have no serious objection. If the second clause is accepted there is no knowing where the finances of the district boards will stand; there will be an upsetting of the financial arrangements. For these reasons I must oppose the latter part of the amendment about refund or rebate being given.

3-45
P.m.

“ So, with your permission, I propose an amendment to delete from the amendment of Mr. Muthiah Chettiyar the second clause beginning with the words—

‘ (b) where the licence fee for any motor vehicle has been paid for any period and the vehicle has not been used during the whole of that period or a continuous part thereof, not being less than one month, a refund of the fee at such rates as may from time to time be determined by regulations made by the district board with the previous approval of the Local Government shall be payable subject to such conditions as may be specified in such regulations ’.”

Mr. M. A. MUTHIAH CHETTIYAR :—“ I have no objection to accept the amendment.”

Mr. T. S. RAMASWAMI AYYAR :—“ I want to speak on the amendment of Mr. M. A. Muthiah Chettiyar.”

Mr. SAMI VENKATACHALAM CHETTI :—“ If the vote is taken on the amendment for the deletion of the sub-clause in Mr. Muthiah Chettiyar’s amendment, discussion could be confined to the remaining portion of it.”

Mr. V. M. RAMASWAMI MUDALIYAR :—“ I believe the Mover of the main amendment has accepted my amendment.”

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MR. BASHEER AHMED SAYEED:—"Mr. President, I wish to point out at this stage that legislation is not made by an hon. Member proposing and another hon. Member accepting."

* The hon. the PRESIDENT:—"I think the House knows it very well." (Laughter.)

* MR. T. S. RAMASWAMI AYYAR:—"With your permission, Sir, I would speak on both the amendments. Sir, I am constrained to oppose the amendments for this reason that though they are really intended to help people in the case of destruction or replacement, placing such amendments on the Statute Book is undesirable as it might lead to abuse by the bus-owners. It is said that if a motor vehicle is removed from the road and another vehicle is put on the road by the same owner, relief should be given to the owner. The amendment seeks to effectuate this purpose by saying that something like an aggregate payment will entitle a man to keep on the road his vehicles one after another. On paper it might sound correct, but in working the Act it will mean great difficulty for people who control the licensing business to find out exactly when a motor vehicle goes out of the road and when another takes its place. Suppose the owner of a vehicle has it on the road for two months and he then puts another also on the road for two months in the same quarter. That will mean that for one month both the vehicles will be plying on the road. If the owner says that only one of his vehicles was on the road for one month and another for another month, how are the authorities to have accurate information? The other portions of the Act give certainly some relief to the people, whose vehicles have been on the road only for a certain period. There is a provision that in the case of vehicles which do not ply for more than 15 days or so, license fee shall not be charged for the whole quarter. Why should this provision be inserted now? As it will lead to a certain amount of misunderstanding and even fraud, I am not for placing it on the Statute Book. I am therefore constrained to oppose this amendment."

Mr. V. M. Ramaswami Mudaliyar's amendment was then put and carried.

Mr. Muthiah Chettiyar's amendment, as amended, was also put and carried.

The hon. the RAJA OF BOBBILI:—"Sir, I move—

'In the explanation to sub-section (3) of section 166, for the words "Madras Motor Vehicles Act," substitute the words "Madras Motor Vehicles Taxation Act".'"

MR. T. SUNDARA RAO NAYUDU:—"I second it."

The amendment was put and carried.

Clause 3, as amended, was then put and carried.

The Preamble was put and carried.

* MR. F. BIRLEY:—"Mr. President, Sir, I am very grateful to the hon. Members of this House who have supported this Bill.

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[Mr. F. Birley]

I have a great deal of sympathy with certain criticisms made but I have none with the view that the local boards should be given a free hand to tax at their discretion."

Mr. V. T. ARASU:—"On a point of order, Mr. President, may I know what the motion before the House is?"

* The hon. the PRESIDENT:—"I think the hon. Member is going to move that the Bill be passed into law." (Laughter.)

* Mr. F. BIRLEY:—"Mr. President, with these few words, I formally move that the Bill, as amended, be passed into law." (Renewed laughter.)

Mr. SAMI VENKATACHALAM CHETTI:—"I second it."

The motion was put and carried and the Bill, as amended, was passed into law.

[Rao Sahib Pandit Ganala Ramamurti was not in his place when he was called by the hon. the President to move that the Artisans Bill (Bill No. 22 of 1932) be circulated for the purpose of eliciting public opinion thereon.]

III.—THE MADRAS PUBLIC LIBRARIES BILL.

Mr. BASHEER AHMED SAYEED:—"I rise to ask for leave to introduce the Madras Public Libraries Bill. Sir, the public has, I believe, been acquainted already with the nature of the Bill, the scope of it and the purpose for which it is intended to be introduced in this Presidency. In our Province, there are already some sections in certain Local Boards and Municipalities Acts enabling the local bodies to establish or to contribute to libraries. But, Sir, what is required is to afford further facilities to local boards and municipalities . . ."

* The hon. the PRESIDENT:—"I thought that the hon. Member was only going to ask for leave to introduce, but not make a speech. In case objection is taken to the granting of leave, then probably the hon. Member would have been quite in order to make a speech upon the merits of his Bill."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"May I know whether a Bill cannot be introduced with a preliminary speech?"

* The hon. the PRESIDENT:—"A Bill is not to be introduced with a speech, at the stage of asking for leave to introduce."

Mr. BASHEER AHMED SAYEED:—"If that is your ruling, Mr. President, I merely ask the permission of the House to introduce the Madras Libraries Bill."

Mr. K. A. NACHIYAPPA GOUNDER:—"I second it."

The motion was put and carried.

Mr. BASHEER AHMED SAYEED:—"I introduce the Bill, Sir."

The hon. the PRESIDENT:—"The hon. Member can make a speech at greater length after the Bill is published."

Mr. BASHEER AHMED SAYEED:—"Cannot a Member explain the scope of a Bill in introducing it?"

The hon. the PRESIDENT:—"No."

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IV.—THE MADRAS MATERNITY BENEFIT BILL.

Mr. V. M. RAMASWAMI MUDALIYAR:—"I beg to move for permission to introduce the Madras Maternity Benefit Bill."

Mr. T. NARASA REDDI:—"I second the motion."

The motion was put and carried.

Mr. V. M. RAMASWAMI MUDALIYAR:—"I beg to introduce the Bill."

V.—THE MADRAS ALIYASANTANA BILL (MR. K. P. RAMAN MENON).

Mr. K. P. RAMAN MENON:—"I beg to move for leave to introduce the Madras Aliyasantana Bill."

Mr. M. S. SRESHTA:—"I second it."

The motion was put and carried.

Mr. K. P. RAMAN MENON:—"I introduce the Madras Aliyasantana Bill."

VI.—THE MADRAS ALIYASANTANA BILL (MR. A. B. SHETTY).

Mr. A. B. SHETTY:—"I beg to move for leave to introduce the Madras Aliyasantana Bill."

Mr. R. M. PALAT:—"I second it."

The motion was put and carried.

Mr. A. B. SHETTY:—"I introduce the Madras Aliyasantana Bill."

VII.—A BILL TO AMEND THE MADRAS ESTATES LAND ACT, 1908.

Mr. SAMI VENKATACHALAM CHETTI:—"I move for leave to introduce a Bill to amend the Madras Estates Land Act, 1908."

Mr. T. C. SRINIVASA AYYANGAR:—"I second it."

4 p.m. * The hon. the RAJA OF BOBBILI:—"Sir, in rising to propose an adjournment to the motion before the House, I wish to make the following statement on behalf of my Party with your permission. Hon. Members are aware that an official Bill to amend the Madras Estates Land Act was introduced in this Council by the hon. the Revenue Member on the 26th January 1932."

* Mr. V. T. ARASU:—"On a point of order, Mr. President, may I know whether the hon. the Chief Minister is at liberty to make a statement at this stage?"

* The hon. the PRESIDENT:—"In amplification of the motion that he is moving he is making a statement."

Mr. SAMI VENKATACHALAM CHETTI:—"May I know whether he is making a statement, or speaking in support of the motion that he has moved. That makes a lot of difference. If he is going to make only a statement under the Standing Order which contemplates the making of such a statement, he has only to make a short statement which may be replied."

* The hon. the PRESIDENT:—"That short statement is being made."